UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET.NO.	CONFIRMATION NO.
10/617,702	07/14/2003	James Baich	87359.1960	3730

7590 10/12/2005

BAKER & HOSTETLER LLP
Washington Square
Suite 1100
1050 Connecticut Avenue, N.W.
WASHINGTON, DC 20036

EXAMINER	
BOCHNA, DAVID	

ART UNIT	PAPER NUMBER
3679	

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/617,702	BAICH ET AL.	
	Examiner	Art Unit	
	David E. Bochna	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-11 and 13-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4-11 and 13-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4, 11 and 14-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Benjamin, Jr. et al..

In regard to claims 1 and 21, Benjamin, Jr. discloses a slip joint adaptor comprising;

a housing 15 having a substantially hexagonal outer cross section;

a first chamber 31 contained within the housing and configured to allow a pipe 11 to slide through it;

a second chamber 19 contained within the housing and configured to allow an end of a pipe 13 to slide through it and to provide a substantially sealed bridge for material flowing through the pipe and a second pipe when an end of the pipe does not contact an end of the second pipe; and

a third chamber 18 contained within the housing and configured to attach to an end of a second pipe.

In regard to claim 2, the first, second and third chambers are substantially coaxial.

In regard to claim 4, the third chamber 18 has threads 16 for attaching to an end of a second pipe 13.

In regard to claim 11, Benjamin, Jr. et al. discloses a slip joint adaptor comprising:

means 15 for housing a pipe 11 configured to allow an end of a first pipe to slide through it when the means for housing is tightly attached to an end of a second pipe 13;

means 24 for limiting sliding motion of the first pipe so that the first pipe does not slide out of the housing means; and

means 16 for attaching to an end of a second pipe; and

means 18 for bridging fluid flowing from the pipe to the second pipe when an end of the pipe does not contact an end of the second pipe.

In regard to claim 12, the attaching means 15 has a substantially hexagonal outer cross-section.

In regard to claim 13, attaching means has threads 16 for attaching to an end of a second pipe.

In regard to claim 14, further comprising at least one seal 28 containing means in the means for housing.

In regard to claim 15, further comprising a pipe 11 extending through the housing means in a slidable fashion and terminating with a flared end 24 configured to prevent the flared end form sliding out of the housing means.

In regard to claim 16, a pipe 11 extending through the housing means; and

A stop 24 located on the pipe and located on the pipe to prevent the end of the pipe from extending into the housing means farther than a predetermined distance.

In regard to claim 17, further comprising:

a pipe 11 extending through the housing means; and

means 28 for sealing the pipe into the housing means.

In regard to claim 18, Rubin et al. discloses a method of attaching two pipe ends comprising:

Sliding a first pipe 11 through a slip joint adapter 15;

Positioning the slip joint adapter to the desired location on the first pipe;

Providing a stop 24 on the first pipe that blocks the first pipe from sliding into the slip joint adapter farther than a predetermined distance;

Attaching the slip joint adapter to an end of the second pipe 10; and

Bridging in a substantially sealed manner material carried by the pipe with the slip joint adapter between two non-contacting pipe ends while the pipe is free to slide through the slip joint adapter.

In regard to claim 19, further comprising sealing 28 the first pipe with the slip joint adapter.

In regard to claim 20, further comprising flaring 24 the end of the first pipe 11.

In regard to claim 21, the housing 15 has a substantially hexagonal outer cross-section.

In regard to claim 22, the end of the pipe 11 does not contact the end of the second pipe (right end of 10).

In regard to claim 23, the first and second chambers are configured to allow the pipe to slide in an axial direction relative to the housing while maintaining a substantially sealed bridge for material flowing from the pipe to the second pipe.

In regard to claim 24, the first and second chambers are configured to allow the pipe to slide in an axial direction relative to the housing in order to facilitate connection of the pipe to

the second pipe when the end of the pipe is located at various lengths from the end of second pipe.

In regard to claim 25, the first and second chambers are configured to allow the pipe to slide in an axial direction relative to the housing when the housing is tightly attached to the end of the second pipe.

In regard to claim 26, the threads tightly engage second pipe threads 16 associated with the end of the second pipe.

In regard to claim 27, the means for bridging is substantially sealed 28.

3. Claims 1-2, 4, 7-8, 11-15,17-20 and 22-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Houtte et al.

In regard to claim 1, Van Houtte et al. discloses a slip joint adaptor comprising;

a housing 15;

a first chamber 23 contained within the housing and configured to allow a pipe 16 to slide through it;

a second chamber 17 contained within the housing and configured to allow an end of a pipe 16 to slide through it and to provide a substantially sealed bridge for material flowing through the pipe and a second pipe when an end of the pipe does not contact an end of the second pipe; and

a third chamber 26 contained within the housing and configured to attach to an end of a second pipe (at 22).

In regard to claim 2, the first, second and third chambers are substantially coaxial.

In regard to claim 4, the third chamber has threads 22 for attaching to an end of a second pipe.

In regard to claim 7, further comprising a tapered portion located between the first and second chambers.

In regard to claim 8, further comprising a pipe extending through the first chamber in a slidable fashion and terminating with a flared end 32 in the second portion, the flared portion having a diameter sufficient to prevent the pipe end from sliding through the first chamber.

In regard to claim 11, Van Houtte et al. discloses a slip joint adaptor comprising:

means 15 for housing a pipe 16 configured to allow an end of a first pipe to slide through it when the means for housing is tightly attached to an end of a second pipe;

means 32 for limiting sliding motion of the first pipe so that the first pipe does not slide out of the housing means; and

means 22 for attaching to an end of a second pipe; and

means 15 for bridging fluid flowing from the pipe to the second pipe when an end of the pipe does not contact an end of the second pipe.

In regard to claim 13, attaching means has threads 22 for attaching to an end of a second pipe.

In regard to claim 14, further comprising at least one seal 17 containing means in the means for housing.

In regard to claim 15, further comprising a pipe 16 extending through the housing means in a slidable fashion and terminating with a flared end 32 configured to prevent the flared end form sliding out of the housing means.

In regard to claim 17, further comprising:

a pipe 16 extending through the housing means; and

means 17 for sealing the pipe into the housing means.

In regard to claim 18, Van Houtte et al. discloses a method of attaching two pipe ends comprising:

Sliding a first pipe 16 through a slip joint adapter;

Positioning the slip joint adapter to the desired location on the first pipe;

Providing a stop 32 on the first pipe that blocks the first pipe from sliding into the slip joint adapter 15 farther than a predetermined distance;

Attaching the slip joint adapter to an end of the second pipe; and

Bridging in a substantially sealed manner material carried by the pipe with the slip joint adapter between two non-contacting pipe ends while the pipe is free to slide through the slip joint adapter.

In regard to claim 19, further comprising sealing 17 the first pipe with the slip joint adapter.

In regard to claim 20, further comprising flaring 32 the end of the first pipe 16.

In regard to claim 22, the end of the pipe does not contact the end of the second pipe.

In regard to claim 23, the first and second chambers are configured to allow the pipe to slide in an axial direction relative to the housing while maintaining a substantially sealed bridge for material flowing from the pipe to the second pipe.

In regard to claim 24, the first and second chambers are configured to allow the pipe to slide in an axial direction relative to the housing in order to facilitate connection of the pipe to

the second pipe when the end of the pipe is located at various lengths from the end of second pipe.

In regard to claim 25, the first and second chambers are configured to allow the pipe to slide in an axial direction relative to the housing when the housing is tightly attached to the end of the second pipe.

In regard to claim 26, the threads 22 tightly engage second pipe threads associated with the end of the second pipe.

In regard to claim 27, the means for bridging is substantially sealed 17.

4. Claims 1-2, 5-6, 8-11, 14, 16-19, 22-25 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Mayfield et al.

In regard to claim 1, Mayfield et al. discloses (fig. 7) a slip joint adaptor comprising;

a housing 188;

a first chamber 218 contained within the housing and configured to allow a pipe 210 to slide through it;

a second chamber 195 contained within the housing and configured to allow an end of a pipe 210 to slide through it and to provide a substantially sealed bridge for material flowing through the pipe and a second pipe when an end of the pipe does not contact an end of the second pipe; and

a third chamber 184 contained within the housing and configured to attach to an end of a second pipe 186.

In regard to claim 2, the first, second and third chambers are substantially coaxial.

In regard to claim 5, further comprising at least one annular groove in the first chamber configured to house an O ring gasket 197.

In regard to claim 6, a pipe 210 extending through the first chamber in a slidable fashion and having an end in the second chamber; and

An O ring gasket 197 in the at least one groove the O ring gasket having an inner diameter less than an outer diameter of the pipe, and the O ring gasket having an outer diameter greater than the diameter of the groove.

In regard to claim 8, further comprising a pipe 210 extending through the first chamber in a slidable fashion and terminating with a flared end 200 in the second portion, the flared portion having a diameter sufficient to prevent the pipe end from sliding through the first chamber.

In regard to claim 9, further comprising a pipe 210 extending through the first chamber in a slidable fashion and having an end in the second chamber, and

A shoulder 216 having a diameter greater than a diameter associated with the first chamber, the shoulder mounted on a portion of the pipe located outside the housing and located on the pipe to but against the housing and prevent the end of the pipe from extending into the third chamber.

In regard to claim 10, further comprising a pipe 210 extending through the first chamber in a slidable fashion and having an end in the second chamber; and

A seal 197 located between the pipe and the housing substantially sealing the second chamber from the outside of the housing via the first chamber.

In regard to claim 11, Mayfield et al. discloses a slip joint adaptor comprising:

means 188 for housing a pipe 210 configured to allow an end of a first pipe to slide through it when the means 184 for housing is tightly attached to an end of a second pipe 190;

means 207 for limiting sliding motion of the first pipe so that the first pipe does not slide out of the housing means; and

means 184 for attaching to an end of a second pipe; and

means 188 for bridging fluid flowing from the pipe to the second pipe when an end of the pipe does not contact an end of the second pipe.

In regard to claim 14, further comprising at least one seal 197 containing means in the means for housing.

In regard to claim 16, further comprising a pipe 210 extending through the housing means, and a stop 216 located on the pipe and located on the pipe to prevent the end of the pipe from extending into the housing means farther than a predetermined distance.

In regard to claim 17, further comprising:

a pipe 210 extending through the housing means; and

means 197 for sealing the pipe into the housing means.

In regard to claim 18, Mayfield et al. discloses a method of attaching two pipe ends comprising:

Sliding a first pipe 210 through a slip joint adapter;

Positioning the slip joint adapter 188 to the desired location on the first pipe;

Providing a stop 207 on the first pipe that blocks the first pipe from sliding into the slip joint adapter farther than a predetermined distance;

Attaching the slip joint adapter to an end of the second pipe 190; and

Bridging in a substantially sealed manner 197 material carried by the pipe with the slip joint adapter between two non-contacting pipe ends while the pipe is free to slide through the slip joint adapter.

In regard to claim 19, further comprising sealing 197 the first pipe with the slip joint adapter.

In regard to claim 22, the end of the pipe 210 does not contact the end of the second pipe 190.

In regard to claim 23, the first 218 and second 195 chambers are configured to allow the pipe to slide in an axial direction relative to the housing while maintaining a substantially sealed bridge for material flowing from the pipe to the second pipe.

In regard to claim 24, the first and second chambers are configured to allow the pipe to slide in an axial direction relative to the housing in order to facilitate connection of the pipe to the second pipe when the end of the pipe is located at various lengths from the end of second pipe.

In regard to claim 25, the first and second chambers are configured to allow the pipe to slide in an axial direction relative to the housing when the housing is tightly attached to the end of the second pipe 190.

In regard to claim 27, the means for bridging is substantially sealed.

Response to Arguments

5. Applicant's arguments with respect to claims 1-2,4-11 and 13-27 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Philibert et al., and Osmun all disclose similar couplings common in the art.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078. The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

David E. Bochna
Primary Examiner
Art Unit 3679